



SACRAMENTO – SAN JOAQUIN
DELTA CONSERVANCY

3500 Industrial Blvd.
West Sacramento, CA 95691
<http://www.deltaconservancy.ca.gov>

Action Items and Meeting Summary for July 7, 2010

Background

Action Items and Meeting Summary from Conservancy Board meeting on July 7, 2010

List of Attachments

Attachment 1 – Action Items and Meeting Summary

Contact

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DELTA CONSERVANCY

Action Items and Meeting Summary
for the July 7, 2010, Board Meeting
at
3500 Industrial Blvd., West Sacramento

ACTION ITEMS

1. Interim Executive Officer will work with the Executive Search committee to set a meeting date to develop search criteria for a permanent Executive Officer. The meeting will be publically noticed
2. Staff will provide the Board with a planning calendar for filling vacant positions.
3. Staff will provide a report to the Board regarding the implications for the Conservancy if the Water Bond is removed from the November 2010 ballot.
4. Staff will contact Senator Feinstein's office to get permission to send out copies of the discussion draft version of her proposed Delta Restoration and Recreation Act. Staff will also arrange for representative from Senator Feinstein's office to attend future Conservancy Board meeting to discuss proposed bill.
5. Staff will amend the Conflict of Interest Code as proposed by the Board.
6. Staff will attend Delta Plan meetings and send the link to the second public draft to the Board.
7. Staff will reschedule the Central Valley Joint Venture presentation to the August meeting.

MEETING SUMMARY

1. Call to Order

The meeting was called to order at 9:05 a.m., June 9, 2010, by Mary Piepho, chair of the Sacramento-San Joaquin Delta Conservancy.

Chair Piepho asked that at future meetings a flag salute be included on the agenda.

2. Welcome and Introduction

Chair Piepho asked Board members and audience members to introduce themselves.

3. General Public Comments

There were no general public comments.

4. Oath of Office (if necessary)

No oath of office was necessary.

5. Roll Call

Roll call was taken and a quorum was established. The following voting members were present for the meeting: Chuck Bonham, Mike Eaton, Mary Piepho, Jim Provenza, Dan Taylor, Ken Vogel, Eddie Woodruff, and Jimmie Yee. The following non-voting members were present: Pablo Arroyave, Steve Chappell, Mary Grim, Jessica Hamburger, Amy Hutzel.

6. Executive Officers Report

- **Executive Officer Recruitment.** Ms. Messer explained that the Department of Personnel Administration approval process for the exempt position is facilitated by the fact that the statute calls for the Executive Officer to be exempt. The Delta Protection Commission has opted out of joining their executive officer search with the Conservancy's. The CPS contract for executive search services will take about four weeks; the Executive Search committee will work with Ms. Messer to set up a public meeting to discuss search criteria for the position.
- **Conservancy Staff Hiring.** There are four vacancies, including the Executive Officer position. Ms. Messer will begin interviewing for the Board Liaison position on July 8, 2010. The other vacancies are an Environmental Scientist/Staff Environmental Scientist position and another Associate Governmental Program Analyst position. At a later meeting, the Board will be asked to discuss the Conservancy's future and possibly rethink some position classifications.
- **Headquarters Search.** DWR has agreed to extend the MOU to June 30, 2011. Ms. Messer met with the Department of General Services to begin the search for permanent office space, which she anticipates the Conservancy will have in 12 to 14 months. The focus for new office space will center in West Sacramento, and Ms. Messer hopes to bring a list of options to the Board at its August meeting. The idea of co-locating DPC may no longer be an option because the DPC has already selected a site.
- **Budget.** Ms. Messer took out the additional 5 percent, as mentioned in the June meeting, which leaves about \$91,000 for operating costs. She will bring a new budget summary to the Board at its August meeting.

- **Water Bond.** Chair Piepho requested that staff prepare a report outlining the potential impacts to the Conservancy's budget and programs if the Water Bond is not on the November 2010 ballot.
- **Conservancy Interactions with Other Agencies.** Conservancy staff attended three meetings at other agencies, and developed a log of meetings attended. Chair Piepho asked that the staff continue using the form listing interactions with other agencies.
- **Travel Expense Claims (TEC) Forms and Volunteer Time Sheet.** Ms. Messer will find out if the Board members can FAX in their travel expense claims or if she is required to collect an original signature from them, and will email to what she's found out to the Board members. Board members were encouraged to contact staff with specific expense claims questions. Ms. Messer said she can collect monthly travel expense claims, but these will not be paid out until the budget is passed. Ms. Messer will advise the Board regarding whether or not the non-voting members need to fill out volunteer time sheets.
- **CEQA Review.** Ms. Messer informed the Board that the Conservancy does have CEQA review responsibilities. Staff will prepare a report for the Board to review in its August meeting.
- **Legislative Update.** Legislation correcting a mistake in SBX7-1 was passed in the Legislature; the correction identified the Department of Commerce, rather than the Department of the Interior, as the appointing agency for the NMFS advisory liaison to the Board. Ms. Messer mentioned that Senator Diane Feinstein has a discussion draft out about making the Delta a National Heritage Area; the bill's language includes \$2 million for the Delta Conservancy to complete its strategic plan. A copy of the discussion draft is available at: <http://www.delta.ca.gov/res/docs/CEL10454.pdf> . Chair Piepho asked staff to invite someone from the Senator's office to come to one of the Board's meetings, the sooner the better.
- **High Level Agenda.** Ms. Messer said that this planning tool will be revised for the next meeting to include issues that have emerged since it was first developed. Member Provenza read from the statute to remind the Board that part of the Conservancy's role is to help advance the economic well-being in the Delta (Public Resources Code Section 32322).

7. Ratification of the Conservancy's Organizational Chart

The Board ratified the Conservancy's organizational chart by an 8-0 vote.

8. Conflict of Interest Code

Matt Campbell, the Conservancy's attorney, said that the conflict of interest code does apply to alternates, and the deadline for their Form 700 is 30 days after they take their

oath of office. Alternates at that time are also subject to the ethics training requirement that must be completed within six months of taking their oath.

Voting members who have already taken ethics training do not need to repeat the training as long as it was conducted by a State agency, has not expired, and was taken within the last two years.

Conflict of interest code requirements only apply to voting members of the Conservancy Board.

In discussing the proposed conflict of interest code, Member Provenza said that the Board should be informed regarding consultants' levels of disclosure. Mr. Campbell suggested that it was not necessary to put that in the code, and that the Board could direct the staff to brief the Board regarding consultants' reporting requirements on a case-by-case basis.

By law, the conflict of interest code does not apply to non-voting members of the Board; the Board noted that fact and asked that the proposed conflict of interest code for the Conservancy be amended to specifically state that provisions applied to the voting members. The Board voted 8-0 to accept the proposed conflict of interest code, as amended, and to direct staff to proceed with the rulemaking process.

9. Consent Calendar Items

The Board approved the consent calendar items on a vote of 8-0.

10. Delta Plan Overview

Joe Grindstaff, interim executive officer for the Delta Stewardship Council, gave an overview of the Delta Plan and the schedule for completion that includes a draft by the end of 2010. The Delta Plan is to be completed by mid- 2011.

Mr. Grindstaff encouraged Board members to read the second interim plan draft and to look at and comment regarding policies. Mr. Grindstaff said that the Delta Stewardship Council was setting up an interagency team to keep organizations, including the Conservancy, involved in and informed about the Delta Plan.

Staff was directed by the Board to attend Delta Plan meetings and to email the link to the second public draft to the Board.

11. Bay Delta Conservation Plan (BDCP) Overview

Karla Nemeth, from the California Natural Resources Agency, gave a presentation about the BDCP. The BDCP schedule includes a public draft by the end of 2010 and a draft environmental impact statement/environmental impact report (EIR/EIS) in the first half of 2011. The final BDCP and final EIR/EIS is scheduled for the beginning of 2012.

The Board had many questions for Ms. Nemeth, ranging from factual clarifications regarding restoration acreages to technical questions regarding the proposed canal or tunnel—alignment and capacity. The Board also asked what their role was in the BDCP process.

Ms. Nemeth said that it was critical for the Delta Conservancy Board to comment on the public review draft, and that the Board's comments would be most relevant in the implementation scheduling and refinement sections.

12. Central Valley Joint Venture Management Plan Presentation

The Central Valley Joint Venture Management Plan was held over for the August Board meeting because the BDCP presentation and questions lasted longer than originally planned.

13. Public Comments

There were no public comments.

Respectfully submitted on July 12, 2010

Nancy Ullrey, Program Lead
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